

# Notice of Allowability

Application No.

09/346,859

Examiner

Allyson N. Trail

Applicant(s)

KNOWLES ET AL.

Art Unit

2876

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/12/2005.
2. ☒ The allowed claim(s) is/are 87-94.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Amendment***

1. Receipt is acknowledged of the Amendment filed October 12, 2005.

### ***Remarks***

2. The current amendment has overcome the prior objection to claim 87.

Additionally, terminal disclaimers have been filed, which link the current application with patents 6,761,317, 6,460,769, and 6,015,091. Therefore claims 87-94 are allowable over the prior art of record.

### ***Allowable Subject Matter***

3. Claim 87-94 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The best prior art of record teaches a system for reading code symbols, wherein the system includes a scanning mechanism, a processing mechanism, and a plurality of base units. The prior art of record however, fails to teach specific features of the system for reading code symbols, which is disclosed in the pending claims. The specific features of the system disclosed in the claims include s synthesizing mechanism for synthesizing a group of data packets, wherein each packet has a plurality of data fields containing codes for identifying the code symbol reading device, which is synthesizing the data packet in the group thereof. The data packet also includes a data packet number for identifying each data packet, a data packet group number for identifying the group to which each data packet belongs, and a sequence of digital data bits representative of the symbol character data. The code reading system further includes

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an RF signal generator for generating an electromagnetic signal having its frequency modulated by the digital data bits representative of the group of data packets. The RF signal also transmits the modulated signal over a predetermined data transmission range in free space, wherein the frequency deviation of the signal produced by each of the code symbol reading devices is substantially the same and equal to a preselected frequency deviation value. Furthermore, although prior art teaches a plurality of base units, the specific features of the claimed base units are not taught. The base units include a receiver for receiving a modulated carrier signal transmitted from any one of the code symbol reading devices and a demodulator for demodulating any one of the received modulated carrier signals so as to recover at least one data packet therefrom. The base units also include a processing mechanism for analyzing the recovered data packet to determine whether the received data packet was synthesized by its assigned code symbol reading device, and if so, the symbol character data is recovered therefrom. Lastly, the base unit includes a buffer for buffering the symbol character data recovered from the data packet synthesized by the preassigned code symbol reading device, and a notification mechanism for automatically producing, in response to the recovery and buffering of the symbol character data, an acknowledgement signal perceptible to the user of the assigned code symbol reading device when the user is situated within the predetermined data transmission range. This is done to inform the user of the code symbol reading device that the symbol character data produced thereby has been received and recovered at the at the assigned base unit. All of the

limitation discussed above cannot be found in prior art and moreover, one of ordinary skill would not have been motivated to come to the above claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson N. Trail* whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [[allyson.trail@uspto.gov](mailto:allyson.trail@uspto.gov)].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published*

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*in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG*

89.

Allyson N. Trail  
Patent Examiner  
Art Unit 2876  
October 27, 2005

A handwritten signature in black ink, appearing to read 'Karl D. Frech', with a long horizontal stroke extending to the right.

**KARL D. FRECH  
PRIMARY EXAMINER**